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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,611	10/17/2003	George C. Schedivy	8002A-80 CIP II	2434
22150 7590 12/31/2008 F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797			EXAMINER LIANG, REGINA	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 12/31/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/688,611	SCHEDIVY, GEORGE C.	
	Examiner	Art Unit	
	Regina Liang	2629	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19 and 21-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19 and 21-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/23/08 4/18/08</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/12/08 has been entered. Claims 19, 21-36 are pending in the application.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 19, 21-28, 30-32, 35, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mathias (WO 00/38951) in view of Chang (6,871,356).

As to claim 19, Fig. 1 of Mathias teaches an integrated visual display/digital media player in the form of an LCD/DVD video display system (30) mounted inside a vehicle, comprising a base portion (34), a door (screen console 38) pivotally attached to the base portion, wherein the door (screen console 38) includes a display (40) and a media player (disc player 32) is mounted in the base portion such that the media player is behind the door when the door is in a close position. Figs. 1 and 3 of Mathias also shows the base portion including a first opening (32) in line with a slot in the media player, so that a data media is insertable into the media player through the slot irrespective of the position of the door. Mathias suggests "this view display

system 30 could also be mounted to other interior components located within the automobile, including, but not limited to, seat backs, center consoles, etc." (page 11, lines 14-17).

Mathias does not disclose the base portion mounted in a seat headrest, wherein the headrest includes a cut-out portion configured and dimensioned to receive the base portion.

Chang recognizes a significant draw-back for mounting the video system to the ceiling of the automobile which "do not allow different passengers to select programming that suits them" (col. 1, line 30-42). Figs. 7, 10, 11 and 13 of Chang discloses a video system comprising a base portion (housing 418) mounted in a vehicle seat headrest, wherein the headrest includes a cut-out portion configured and dimensioned to receive the base portion to enable private selection of their desired source of entertainment. Thus, in view of Mathias's suggestion, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the base portion as Mathias to be mounted in a seat headrest as taught by Chang to allow the rear seat passengers to independently, fully, and easily control their desired source of entertainment during their occupancy of the automobile without disturbing the other passengers of the automobile.

As to claim 21, Chang teaches the base portion (screen structure 416) is coupled to the internal headrest support structure (see Fig. 7A).

As to claims 22-26, see Fig. 3 and col. 5, line 55 to col. 6, line 25 of Chang for example.

As to claim 27, Fig. 3 of Chang teaches comprising a port for connecting to an external device.

As to claim 28, Fig. 7 of Chang teaches the display is mounted on a front side of the door.

As to claims 30, 31, Chang teaches the door is pivotally attached to the base portion with a hinge (436, 440 in Fig. 8A), and the hinge is positioned at a top portion of the door.

As to claim 32, Mathias as modified by Chang teaches the display and the media player are capable of operating when the door is in a closed position, and a data storage medium (disc) is inserted into the media player when the door is in an open position.

As to claim 35, Mathias teaches the media player includes a DVD player.

As to claim 36, Chang teaches the base portion mounted in the headrest; Mathias teaches the base portion includes a media player, and Fig. 3 of Mathias teaches the base portion have a cavity for selectively housing the media player. Thus, Mathias as modified by Chang teaches the video system as claimed.

4. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mathias and Chang as applied to claim 19 above, and further in view of Baret (FR 2817812).

As to claim 29, Mathias as modified by Chang does not disclose a cover for covering the display. However, Fig. 1 of Baret teaches a video display system in a vehicle comprising a cover (51) for covering the display (4). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the video system of Mathias as modified by Chang to have a cover for covering the display as taught by Baret so as to protect the display screen when the display is not used.

5. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mathias and Chang as applied to claim 19 above, and further in view of Vottero-Fin.

Mathias as modified by Chang does not disclose the vehicle seat headrest includes at least one vent. However, Vottero-Fin teaches a vehicle seat armrest having a display device (TV set 21) and at least one vent (grill 26) for cooling the display device (col. 2, line 14-15). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify to modify the headrest of Mathias as modified by Chang to include at least one vent for dissipating heat generated by the video system.

6. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mathias and Chang as applied to claim 19 above, and further in view of May.

Mathias as modified by Chang does not disclose the vehicle seat headrest includes a fan. However, May teaches an armrest of a chair having a fan for dissipating heat generated by an electronic device (PC) located within the chair. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Mathias as modified by Chang to include a fan in the headrest for dissipating heat generated by the video system.

Response to Arguments

7. Applicant's arguments with respect to claims 19, 21-36 have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Regina Liang whose telephone number is (571) 272-7693. The examiner can normally be reached on Monday-Friday from 8AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Regina Liang/
Primary Examiner, Art Unit 2629